

HOUSE BILL No. 1166

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-5.1.

Synopsis: Corporal punishment in schools. Prohibits the use of corporal punishment on public school students. Allows the use of reasonable and necessary force in certain situations.

Effective: July 1, 2005.

Orentlicher, Budak

January 6, 2005, read first time and referred to Committee on Education.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1166

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-8.1-5.1-0.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2005]: **Sec. 0.3. As used in this chapter,**
4 **"corporal punishment" means the intentional infliction of physical**
5 **pain that is used as a means of discipline.**

6 SECTION 2. IC 20-8.1-5.1-3 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) Student
8 supervision and the desirable behavior of students in carrying out
9 school purposes is the responsibility of a school corporation and the
10 students of a school corporation.

11 (b) **Except as provided in subsection (d)**, in all matters relating to
12 the discipline and conduct of students, school corporation personnel
13 stand in the relation of parents and guardians to the students of the
14 school corporation. Therefore, school corporation personnel have the
15 right, subject to this chapter, to take any disciplinary action necessary
16 to promote student conduct that conforms with an orderly and effective
17 educational system.

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(c) Students must follow responsible directions of school personnel in all educational settings and refrain from disruptive behavior that interferes with the educational environment.

(d) School corporation personnel may not subject a student to corporal punishment.

(e) Notwithstanding subsection (d), school personnel may use reasonable and necessary force:

(1) to stop a disturbance or prevent an act that threatens physical injury to any person;

(2) to obtain possession of a weapon or dangerous object that is in a student's control;

(3) in self-defense or defense of others; or

(4) to protect property.

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